

REMARKS

We have amended the title to more clearly indicate the invention to which the claims are directed. With regard to the Examiner's drawing objections, the predetermined data amount units recited in those claims is shown in Fig. 2A as frames. Accordingly, we believe that it is not necessary to correct the drawings.

§ 112 Rejections

We have addressed the Examiner's rejection that claims 2, 3, 10, 14, 19 and 20 do not meet the written description requirement by amending the specification to be consistent with the originally-filed claims. We submit that no new matter has been added.

Prior Art Rejections

The Examiner rejected claims 1, 4-9 and 18 as being anticipated by EP 0974966 (hereafter, EP '966) or by Hayashi U.S. Patent 6,487,616 or 6,594,213 (hereafter the Hayashi '616 and '213 patents)

We submit however that none of EP '966, Hayashi '616 and '213 patents disclose a control unit for holding a count value of the counter immediately before the interruption when the recording of data is interrupted and controlling restart of the recording of data based on the held count value while recognizing the position of data on an optical disc using sub-code data, as recited in amended independent claims 1 and 9. We further submit that EP '966, Hayashi '616 and '213 patents do not disclose a method for controlling recording of data including subcode data including holding the count value of the counter that is generated immediately before the recording of data is interrupted, and restarting the recording based on the held count value while recognizing the position of the data in the optical disc using the sub-code data, as recited in amended claim 18. Rather, EP '966 discloses detecting the position of the leading end in a non-recorded region on an optical disk by counting channel bits to detect an EFM frame when restarting a recording operation (see column 7, lines 48-58, paragraph [0042]). Hayashi '616 and '213 disclose that the address memory 48 stores the address of ATIP decoded by the ATIP

decoding circuit 10 when interrupting a recording operation (see column 6, lines 56-59 of '616). None of EP '966, Hayashi '616 nor '213 say anything about using sub-code data.

Accordingly, we believe that the inventions recited in independent claims 1, 9 and 18 are patentably distinguishable over EP '966, Hayashi '616 nor '213.

Because claims 4-8 depend from independent claim 1, those claims are patentable for at least the same reasons that claim 1 is patentable.

Dependent claims 2, 3, 10-17, 19 and 20 were rejected as being unpatentable over the art applied to claims 1, 4-9 and 18, and further in view of Lin. We submit however that Lin does not disclose that which was missing from any of EP '966, Hayashi '616 and Hayashi '213. Lin simply discloses a frame counter 220 for counting EFM frame n-1 (n: target frame) and a bit counter 240 used to count the starting point (see column 4, lines 6-24). We submit therefore that these dependent claims are patentable for at least the same reason that independent claims 1, 9 and 18 are patentable.

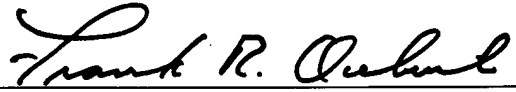
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Enclosed is a Petition for One Month Extension of Time with a check for \$120.00 for the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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